

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROWE PLASTIC SURGERY OF NEW JERSEY,
L.L.C., ET AL.,

23-cv-8140 (JGK)

Plaintiffs,

ORDER

- against -

AETNA LIFE INSURANCE COMPANY,

Defendant.

JOHN G. KOELTL, District Judge:

On January 11, 2025, in view of the pending motion to amend, ECF No. 33, the Court directed the parties to advise the Court, by January 24, 2025, whether any party objects to the denial without prejudice of the fully briefed motion to dismiss, ECF No. 11. ECF No. 36.

To date, no party has filed any such objection. Therefore, the defendant's motion to dismiss the complaint is **denied without prejudice** to the defendant's ability to file any Rule 12 motion following the decision on the presently pending motion to amend, ECF No. 33.

The Clerk is directed to close ECF Nos. 11 and 19.

SO ORDERED.

Dated: New York, New York
January 27, 2025



John G. Koeltl
United States District Judge